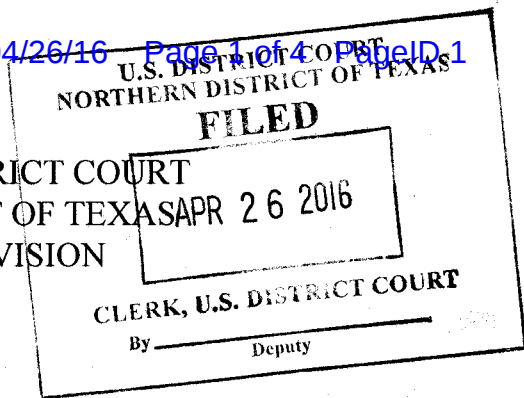


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



UNITED STATES OF AMERICA

v.

No. 4:16-MJ- 268

FRANCISCO PEREZ (01)
a/k/a "Ismael Zoria Rivera"
"Ismael Zoria"
"Ismael Lopez Perez"

CRIMINAL COMPLAINT

I, Special Agent J. Yoder, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about April 22, 2016, in the Northern District of Texas, defendant **FRANCISCO PEREZ**, then being an alien illegally and unlawfully in the United States, did knowingly possess in and affecting interstate commerce a firearm, to wit: a Glock, model 41Gen4, 45 caliber pistol, bearing serial number XSD507, in violation of 18 U.S.C. § 922(g)(5).

1. I am a Special Agent for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed for the past fourteen (14) years. I am currently assigned to the Fort Worth Field Office. I have been a Law Enforcement Officer for approximately seventeen (17) years and have investigated numerous violations of federal firearms and narcotic laws throughout my career. I have participated in all of the normal methods of investigation, including, but not limited to, electronic and visual surveillance, general questioning of witnesses, the use of search

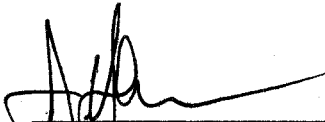
warrants, the use of confidential informants, and the use of undercover agents. I have participated in numerous federal investigations involving the sale, distribution, and smuggling of illegal narcotics and/or the laundering of proceeds derived from the sale thereof. Based on my training and experience, I have become familiar with means and methods involved in narcotics distribution, including the possession and use of firearms to protect the controlled substances and profits made from distribution of those controlled substances.

2. I am familiar with the facts and circumstances of the investigation set forth below based on my participation in this investigation. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, I have not included details of every aspect of the investigation. Instead, I have only listed those facts I believe necessary to establish probable cause to believe that the defendant committed the above-identified crimes. The statements set forth in this affidavit are true and correct to the best of my knowledge:
3. On April 22, 2016, ATF Agents conducted a visual surveillance of 1041 E Centerville Rd Apt #311, Garland, TX, the residence of Francisco Perez and Flor Trevino. Agents viewed Perez exit the apartment with a (backpack) and place it inside of a black Chevrolet pick-up truck bearing Texas license plate DGW6698. Perez was viewed walking back inside of apartment #311 and then exiting again a short time later with Flor Trevino. Agents made contact with Trevino and Perez in

the parking lot of the complex and identified themselves. ATF Agents requested consent to search the black Chevrolet truck which Perez identified as his. Perez gave Agents verbal consent and subsequently signed a consent to search form. ATF Agents located the bag which they had observed Perez place inside of his truck moments earlier. Inside of the bag, Agents discovered a Glock, model 41Gen4, 45 caliber pistol, bearing serial number XSD507. Perez advised Agents the firearm was his firearm and that he had received it from a friend. Perez informed Agents that he was not a United States citizen, rather he was in the United States illegally.

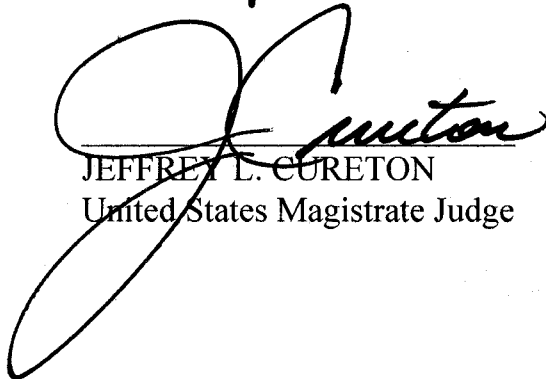
4. On April 25, 2016, Perez was contacted in Dallas, TX and during a post-*Miranda* interview Perez admitted that the firearm he placed inside of his truck on April 22, 2016 belonged to him. Perez stated his friend, Isidro LNU, loaned him the firearm approximately a year ago, after Perez asked Isidro LNU for the weapon. Also during this interview, Perez again confirmed he is in the United States illegally and has previously been deported.
5. Additionally on April 26, 2016, ATF SA D. Kaase, an Interstate Nexus Expert, reviewed a description and photographs of the aforementioned Glock pistol and determined that the firearm was manufactured outside of the state of Texas and therefore, would have had to move in, and affect interstate commerce to reach the state of Texas.

6. ATF Special I. Kendrick attempted to locate a criminal history for Perez however, due to the numerous aliases and birthdates provided by Perez, the true identity of Perez is unknown.
7. Based upon the foregoing facts and information, I submit there is probable cause to believe that Francisco Perez did knowingly violate Title 18, United States Code, § 922(g)(5).



J. Yoder
Special Agent, ATF

Sworn to before me, and subscribed in my presence on April 26,
2016 at 2:06 p.m., at Fort Worth, Texas.



JEFFREY L. CURETON
United States Magistrate Judge